

Appl. No. 10/684,870
Amdt. dated December 27, 2005
Responsive to Office Action dated June 24, 2005

REMARKS/ARGUMENTS

Claims 1-28 are pending in the application. Reconsideration and reexamination of the application are hereby respectfully requested. Claims 15-19, 21-23, and 26-28 are allowed.

In the Claims:

Claims 1, 2, 13, 14, 20, and 24 stand rejected under 35 U.S.C. 102(b) as anticipated by USPN 4,114,665 to Decker (hereinafter "Decker '665").

Regarding Apparatus Claims 1, 2, 14, and 20

Independent apparatus claims 1, 2, 14, and 20 are amended herein to claim an "accessory" for a portable powered sander, the accessory comprising "a sanding frame adaptable for supporting the sander during movement over a workpiece." The Specification defines a "sander frame" or "sanding frame" as an accessory for a portable sander. The Specification states that a sander frame "supports or stabilises a portable belt sander as the user moves the sander over a wooden workpiece." Para 0001. The specification also states that "Sanding frames are generally well known. . . . When a belt sander is mounted in such a frame, the sander is stabilised for movement over the surface of the workpiece. . . . With such a mechanism the user can adjust the amount of wood removed by the sander as it is passed over the workpiece." Para. 0003. Thus, sanding frames are well known accessories used with a portable belt sander when the belt sander is used as a hand tool and moved over the workpiece by the user. Furthermore, independent claims 1 and 2 still require legs selectively connectable to the base of the sanding frame.

Decker '665 does not disclose a sanding frame as defined by the Specification of the subject application. Decker '665 is directed to a woodworking bench with "metal legs 13 arranged in pairs pivoted to the table 10 within the frame 12." Decker '665 col. 2 lines 29-31. No portion of the Decker '665 device is separable for service as a "sanding frame" for supporting and/or stabilizing a portable sander as the sander

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moves over a workpiece. Furthermore, the legs 13 of Decker '665 are permanently, albeit pivotably, connected to the table 10. See Col. 7 line 62 through Col. 8 line 26, wherein describing Figure 13 of Decker '665 the legs are repeatedly described as "folded" or "collapsed," but not disconnected. Thus, Decker '665 does not anticipate amended independent claims 1, 2, 14, and 20.

Regarding Method Claims 13 and 24

Applicants respectfully traverse the rejection of original claim 13 and previously presented claim 24. Both independent method claims 13 and 24 claim "a method for converting a sanding frame into a stand for a portable sander." Both claims 13 and 24 require the steps of "providing a sander frame and a . . . leg" and "attaching the leg to the sander frame."

As discussed above regarding the rejected apparatus claims, the subject application's Specification defines a "sander frame" as an accessory that supports and/or stabilizes a portable sander as a user moves the sander over a workpiece." Para 0001.

Furthermore, the Specification of the subject application defines a "sander stand" as a different accessory that "supports the sander in an orientation wherein the sander's abrasive belt is exposed so that the user may manipulate a workpiece against the moving abrasive belt." Para 0001. The Specification further states that "[s]ander stands are also generally know . . . [and] is an accessory that provides a fixed frame/base for holding the belt sander in an orientation on its side or inverted so that the abrasive belt is exposed for access by the user. Thus supported, the portable sander becomes a bench tool and the user can pass a piece of wood over the moving belt, or press and manipulate a workpiece against the moving belt." Para. 0004.

Decker '665 does not disclose a sander frame as defined by the Specification of the subject application. Decker '665 does disclose a woodworking bench comprising a table 10 for mounting a portable belt sander as a bench tool. See Decker '665 col. 2 line 64 to col. 4 line 66. Although the Decker '665 woodworking bench is a larger and more complex type of sander stand as defined by the subject Specification, still, no portion of the Decker '665 device is separable for service as a "sanding frame" for

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supporting and/or stabilizing a portable sander as it moves over a workpiece. Nor does Decker '665 disclose a method for converting a mobile sander frame into a fixed bench-top sander stand.

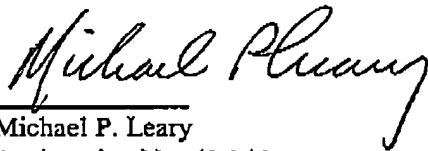
Furthermore, in Decker '665 the "metal legs 13 [are] arranged in pairs pivoted to the table 10 within the frame 12." Decker '665 col. 2 lines 12-14. Therefore, the legs 13 of Decker '665 are permanently, albeit pivotably, connected to the table 10. See Col. 7 line 62 through Col. 8 line 26, wherein describing Figure 13 of Decker '665 the legs are repeatedly described as "folded" or "collapsed," but not disconnected. Thus, Decker '665 does not disclose a step of attaching a leg to a sander frame, as required by both claims 13 and 24.

Thus, Decker '665 does not anticipate independent method claims 13 and 24.

Regarding Allowable Claims 3-12 and 25

The Examiner has indicated that dependent apparatus claims 3-12 and method claim 25 contain allowable subject matter. The Applicants thank the Examiner for the indication of allowable subject matter. Dependent claims 3-12 are amended in their preambles to claim the sanding "accessory" of amended claim 2. Because the Applicants believe that amended claim 2 and claim 24 are not anticipated by the cited Decker '665, at this time they do not choose to amend claim 25 or to further amend claims 3-12.

Respectfully submitted



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